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PERSONNEL QUESTIONS: RESPECT FOR THE PRIVILEGES AND IMMUNITIES OF OFFICIALS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS

Report submitted by the Secretary-General on behalf of and with the approval of the members of the Administrative Committee on Coordination

INTRODUCTION

1. At the forty-sixth session of the General Assembly no resolution was approved on the issue of respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations, because by resolution 46/220 of 20 December 1991 on rationalization of work of the Fifth Committee the Assembly decided to adopt the biennial approach for consideration of matters related to personnel questions. Nevertheless, at that session the Assembly had before it a report regarding respect for the privileges and immunities of officials (A/C.5/46/4) submitted in pursuance of resolution 45/240 of 21 December 1990 on this subject adopted by the General Assembly at its forty-fifth session. The present report is submitted pursuant to the same resolution.

2. By resolution 45/240 the General Assembly had once again called upon all Member States scrupulously to respect the privileges and immunities enjoyed by officials of the United Nations and the specialized agencies and related organizations and to refrain from any acts that would impede such officials in the performance of their duties, thereby seriously affecting the proper functioning of the organizations. The Assembly also called upon the Secretary-General, as chief administrative officer of the United Nations, to continue to act as the focal point in promoting and ensuring the observance of the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations by using all such means as were available to him.

3. As in previous years, the present report is presented on behalf and with the approval of the members of the Administrative Committee on Coordination (ACC) and is based upon the information provided by the United Nations subsidiary organs, offices or missions as well as the specialized agencies and related organizations. A list of the organs and organizations that were requested to provide information is contained in annex III to the present report. The period covered by the present report is from 1 July 1991 to 30 June 1992. A report on the issue of respect for the privileges and immunities of officials which had been submitted to the General Assembly at its forty-sixth session (see para. 1 above), and with regard to which the Assembly did not take any action, had covered the period from 1 July 1990 to 30 June 1991.

4. The period covered by the present report was marked by complex developments. During the period, as never before, the community of States addressed its hopes to the United Nations as an organization established under the Charter to maintain international peace and security and to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character. As pointed out in the Secretary-General's report entitled "An agenda for peace", submitted pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992 (see S/23500), with the end of the cold war, demands on the United Nations have surged and the Organization has emerged as a central instrument for the prevention and resolution of conflicts and for the preservation of peace (A/47/277-S/24111, para. 15). In the light of these developments, the United Nations and other organizations of the United Nations system have been asked to undertake peace-keeping and humanitarian missions, often in areas of military confrontation. As a consequence, staff members have been increasingly asked to serve in areas where the security situation is tenuous at best. Under these circumstances questions relating to respect for the privileges and immunities of officials of the organizations of the United Nations system assume even greater importance.

5. In submitting the present report on behalf of the members of ACC, the Secretary-General expresses the hope that it will help to seek additional means of ensuring the safety and security of officials of the organizations of the United Nations system and respect for their privileges and immunities.

I. SECURITY AND SAFETY OF OFFICIALS

6. The implementation of new tasks assigned to the organizations of the United Nations system by their member States has been complicated on many occasions by the necessity to operate in very dangerous situations, sometimes under circumstances where there is a total breakdown of law and order in the area. In some cases staff members of the organizations have been directly targeted because of their activities and functions. The Secretary-General's reports on the situations in Bosnia and Herzegovina, Iraq and Somalia contain detailed information about the difficult security conditions under which the United Nations operates in those countries. Information about security

conditions in particular countries is also contained in annex II to the present report. In reviewing situations in various parts of the world, the Security Council more than once during the reporting period underlined the urgent need for ensuring the security and protection of personnel of United Nations missions in order to enable those missions to fulfil their mandates. The Secretary-General and the heads of the organizations of the United Nations system have devoted particular attention to the questions related to the safety and security of staff and to the improvement of arrangements so as to ensure the best possible security for staff. In his address on 22 January 1992 to the staff of the United Nations, the Secretary-General stressed that the safety and security of the staff was a matter of the greatest importance for him personally.

7. The Secretary-General regrets to report, however, that despite all efforts to ensure the safety and security of staff, as of the date of issuance of the present report there have been 11 fatalities amongst staff members belonging to different organizations. The following are the names of the 11 staff members who lost their lives: Dr. Martha Pumpalova (United Nations Children's Fund (UNICEF)), national of Bulgaria, killed in Somalia on 5 January 1992; Mr. Tekye Muhe (Office of the United Nations High Commissioner for Refugees (UNHCR)), national of Ethiopia, killed in Ethiopia on 10 March 1992; Mr. Lourenço Mutaca (UNHCR), national of Mozambique, killed in Ethiopia on 31 March 1992; Mr. Abdel Mu'ti Al Buhaisi (United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)), a Palestinian, killed by unknown persons in the Gaza Strip on 11 May 1992; Mr. Mamdouh Yousef El-Fadi (UNRWA), a Palestinian, kidnapped by unknown persons in the Gaza Strip on 17 May 1992 and subsequently found dead on 21 May 1992; Mr. Kimio Kasashima (the United Nations/Food and Agriculture Organization of the United Nations (FAO)/World Food Programme (WFP)), national of Japan, killed in Pakistan on 14 June 1992; Mr. Avi Rappaport (International Civil Aviation Organization (ICAO)), national of Israel, killed in Kenya on 20 July 1992; Mr. Najibullah Bekeran (United Nations Centre for Human Settlements (Habitat)), national of Afghanistan, killed in Afghanistan on 8 August 1992; Mr. Aram Husenic (United Nations Educational, Scientific and Cultural Organization (UNES^O)), national of the former Yugoslavia, killed in Nigeria on 12 August 1992; Mr. Myint Maung (UNICEF), national of Myanmar, killed in the Sudan on 27 September 1992; and Mr. Francis Ngure (UNICEF), national of Kenya, killed in the Sudan on 30 September 1992.

8. It should be noted that although the United Nations and other organizations of the United Nations system make every effort to ensure the security and protection of their staff, the primary responsibility for these matters rests with the host Governments or other governmental authorities. This responsibility flows from every Government's normal and inherent function of maintaining order and protecting persons within their jurisdiction. In the case of the United Nations, other international organizations and their officials, the Governments are considered to have a special responsibility under Article 105 of the Charter of the United Nations and respective agreements of Governments with individual organizations.

II. ARREST, DETENTION AND ABDUCTION OF OFFICIALS

9. During the reporting period, the number of new cases of arrest and detention of officials was lower than in previous years. This was due to the fact that there was a decline in the number of arrested and detained staff members of UNRWA. Nevertheless, several organizations witnessed during the reporting period instances of the arrest, detention or abduction of their officials. The present report highlights cases involving officials of the United Nations and the following organizations and bodies of the United Nations system: UNRWA, the United Nations Economic Commission for Africa (ECA), UNICEF, FAO and WFP. Particulars regarding these cases are contained in annex II to the present report.

10. In spite of the relative decrease in the number of cases of arrested or detained staff members of UNRWA, this number is still high and, therefore, remains a matter of great concern. It is worth noting in this regard that of 66 staff members of UNRWA who were arrested or detained during the reporting period, 49 were arrested and subsequently released without charge or trial: 7 in Jordan, 1 in Lebanon, 30 in the occupied Gaza Strip and 11 in the occupied West Bank. In addition, in Lebanon two UNRWA staff members were detained and then released by militias or unknown elements. At the time of submission of the information for the present report, UNRWA had not yet received any reports regarding the release of any of its staff members by the Israeli authorities in the course of the recent detainee releases. Cases of mistreatment of staff members in detention in the occupied territories were a cause of concern to UNRWA during the reporting period. Detailed information on this subject may be obtained from the report of the Commissioner-General of UNRWA to the General Assembly at its forty-seventh session (A/47/13).*

11. The Secretary-General is pleased to report that during the period under review there were positive developments in two long-standing cases, which resulted in the release of staff members. Mr. Ali Said Shihabi, who had been detained in the Syrian Arab Republic since 31 March 1982, was finally released on 15 December 1991. Mr. Shihabi was subsequently re-employed by UNRWA as a teacher. Mr. Marwan Ismail Hubeib, who had been arrested on 21 December 1988 in the occupied West Bank and since then had been detained without charge or trial, was released on 28 April 1991.

12. The Secretary-General regrets, however, to report a lack of progress in respect of other long-standing cases. Mr. Abdallah Daker Hayatli and Mr. Izzedine Hussein Abu Khreish, arrested in the Syrian Arab Republic on 20 April 1980 and 11 September 1980 respectively, still remain in detention. There has been no further information regarding the four UNRWA staff members listed in last year's report who were detained in Lebanon by militias or unknown elements. They are Mr. Mahmoud Hussein Ahmad, detained since 22 March 1983; Mr. Mohammad Ali Sabbah, detained since 22 March 1983;

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* To be issued.

Mr. Alec Collett, detained since 25 March 1985; and Mr. Mohammad Mustafa El-Hajj Ali, detained since 28 November 1986. It may be mentioned that Alec Collett, who was a British journalist accredited to the United Nations when he took up his assignment with UNRWA in 1985, was elected by the United Nations Correspondents' Association as its Honorary President.

13. A consolidated list of staff members under arrest and detention or missing and with respect to whom the United Nations and the specialized agencies and related organizations have been unable fully to exercise their right to protection is set out in annex I to the present report. The list has been compiled on the basis of the information provided by the organizations and agencies listed in annex III to the report.

III. RESTRICTIONS ON OFFICIAL AND PRIVATE TRAVEL OF OFFICIALS OF THE UNITED NATIONS, THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS

14. UNRWA has continued to experience difficulties in the movement of staff into and out of the West Bank and the Gaza Strip. There were substantial delays in the clearance of staff for travel and, in some cases, this was refused without adequate explanation. The movement of staff within the occupied territories was also seriously affected by frequent imposition of curfews and the designation of areas as closed military zones, with the local authorities continuing to insist that local staff members could work during curfews only if in possession of curfew permits issued by the Israeli Civil Administration. The free movement of UNRWA staff has also been affected by restrictions on access to Israel and East Jerusalem imposed on residents of the West Bank and the Gaza Strip.

15. Last year, the Secretary-General reported with satisfaction to the forty-sixth session of the General Assembly that according to the information received from the United States Mission, all Czechoslovak, Hungarian and Bulgarian employees of the United Nations and their dependants enjoyed unrestricted travel within the United States from the dates of respective notifications. It was pointed out in the report that in his replies to the respective notes the Secretary-General welcomed these decisions by the United States and at the same time expressed regret that restrictions on private travel continued to be in force with respect to staff members of other nationalities. In this connection, the Secretary-General reiterated his hope that all remaining restrictions would be removed by the host country as soon as possible.

16. The Secretary-General is pleased to report to the General Assembly that during the reporting period there have been further positive developments with respect to the issue of removal of restrictions imposed by the authorities of the host country on private travel of staff members who are nationals of particular countries.

17. On 13 November 1991, the United States Mission informed the Secretary-General by a note verbale that, effective immediately, all United Nations employees of Albanian nationality and their dependants would enjoy unrestricted travel within the United States.

18. On 23 December 1991, a note verbale was received by the Secretary-General from the United States Mission stating that, effective immediately, employees of the United Nations assigned to New York City (including persons temporarily assigned) who were nationals of Viet Nam, including members of their families and personal staff who were nationals of Viet Nam, would enjoy unrestricted travel in the United States. The note, however, further clarified that these Vietnamese nationals would still be required to notify the Department of State of any intended non-official travel, specifically recreational travel, by submitting to the United States Mission, at least two full working days in advance of the contemplated travel, a travel notification form.

19. On 24 April 1992, the United States Mission informed the Secretary-General that, effective immediately, United Nations staff members who were nationals of Belarus or Ukraine would no longer be required to request permission for private recreational travel. The note further stated that travel in the United States of staff members who were nationals of Armenia, Azerbaijan, Estonia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, the Republic of Moldova, Tajikistan, Turkmenistan or Uzbekistan would not be restricted. According to the note, staff members of the United Nations from the Russian Federation were still required to submit requests for private recreational travel, but would no longer need to use the Office of Foreign Missions Travel Services.

20. On 7 August 1992, a note verbale was received by the Secretary-General from the United States Mission informing him about new changes in procedural requirements for travel in the United States of United Nations staff members and their dependants from the Russian Federation. In accordance with the note, these staff members will no longer be required to request approval for private recreational travel, but must submit to the United States Mission, two full working days in advance of the planned departure, a revised streamlined travel notification form. The note stipulates that private recreational travel for which timely notification has been given would not be subject to denial by the Department of State. However, in cases where notification has not been provided on a timely basis, according to the note, travel may be undertaken only after the Department of State has granted a time exception and approval has been received by the traveller.

21. In his responses to the aforementioned notes, the Secretary-General welcomed the positive measures taken by the United States. At the same time, in reference to the various travel requirements retained by the host country with respect to staff members who were nationals of Viet Nam and the Russian Federation, the Secretary-General pointed out that such requirements were of a restrictive character. On each of the above occasions the Secretary-General also felt obliged to reiterate his well-known position of principle concerning the restrictive and discriminatory treatment of United Nations staff solely on

the basis of their nationality. In this connection, the Secretary-General expressed in his responses the hope that all remaining travel restrictions would be removed by the host country as soon as possible.

IV. TAXATION OF OFFICIALS

22. In the report to the forty-sixth session of the General Assembly reference was made to a policy introduced in 1990 by the Hungarian authorities which envisaged that locally recruited Hungarian nationals, in particular those recruited by the UNHCR branch office at Budapest, should pay taxes on the salaries and emoluments paid to them by the United Nations. The Secretary-General is pleased to report that after careful consideration of the question of exemption from taxation of locally recruited officials of UNHCR in Hungary, in the light of the provisions of article 1 (i) of the 1989 Agreement between the United Nations High Commissioner for Refugees and the Government of Hungary and section 18 (b) of the Convention on the Privileges and Immunities of the United Nations, 1/ the competent Hungarian authorities decided that Hungarian nationals recruited by the UNHCR branch office at Budapest would be granted exemption from taxation on the salaries and emoluments paid to them by UNHCR. It was also decided that such exemption would be granted retroactively to those Hungarian nationals whose employment with the UNHCR branch office had started earlier than 1 July 1992.

23. In the addendum to the report to the forty-sixth session (A/C.5/46/4/Add.1) reference was also made to the Sudanese legislation imposing income tax on Sudanese nationals working abroad, including those working for the United Nations and the specialized agencies. In this regard, it was noted that this legislation was not compatible with the provisions of section 18 (b), article V, of the Convention on the Privileges and Immunities of the United Nations, which states that officials of the United Nations shall be exempt from taxation on the salaries and emoluments paid to them by the United Nations. The Secretary-General is pleased to report that on 24 June 1992 a note verbale was received from the Permanent Mission of the Republic of the Sudan to the United Nations stating that the Government of the Republic of the Sudan, Ministry of Finance and Economic Planning, by letter No. MFEP/MO/1/17 dated 8 February 1992, had decided, in accordance with the provisions of the Convention on the Privileges and Immunities of the United Nations, to exempt all Sudanese working with the United Nations, the specialized agencies and United Nations affiliated bodies "from payment of the national contribution payable by Sudanese expatriates".

24. The Secretary-General would like to express to the Governments of the Republic of Hungary and the Republic of the Sudan his appreciation for their cooperation in the successful resolution of the above-mentioned cases of taxation.

V. MEASURES AND PROPOSALS IN FURTHERANCE OF THE SAFETY AND SECURITY OF OFFICIALS

25. During the reporting period the Secretary-General, in his capacity as Chairman of ACC, took active steps, together with the heads of the specialized agencies and related organizations, to promote the improved coordinated response of the organizations to the United Nations system aimed at ensuring the security and protection of staff members, in particular under new circumstances where staff are increasingly being called upon to serve in emergency situations around the world. All efforts have been made to provide a collective and coherent response of the organizations of the United Nations system to the cases of violation of the privileges and immunities of staff members of the organizations.

26. The Secretary-General and the heads of the specialized agencies and related organizations have kept under constant review the matters related to the security and protection of staff members and have intervened personally whenever required.

27. In submitting, pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992 (see S/23500), a report entitled "An agenda for peace", the Secretary-General decided to include in it a special section on the safety and security of staff (A/47/277-S/24111, chap. VIII). Given the pressing need to afford adequate protection to United Nations personnel engaged in life-endangering circumstances, the Secretary-General in that section recommends that the Security Council, unless it elects immediately to withdraw the United Nations presence in order to preserve the credibility of the Organization, gravely consider what action should be taken towards those who put United Nations personnel in danger. Before deployment takes place, the Council should keep open the option of considering in advance collective measures, possibly including those under Chapter VII when a threat to international peace and security is also involved, to come into effect should the purpose of the United Nations operation systematically be frustrated and hostilities occur (ibid., para. 68).

28. As in previous years, the United Nations Security Coordinator has been responsible for the formulation of detailed recommendations for the purposes of ensuring the safety and security of staff members and eligible family members of the entire United Nations system and for initiation of discussions with representatives of agencies, political departments and other relevant offices in the Organization on current and potential security-related problems. The Office of the United Nations Security Coordinator and the Field Security Section of the United Nations Development Programme (UNDP) have maintained during the reporting period on a continuing basis an assessment of the extent to which the United Nations system, staff members and eligible family members and operations are exposed or vulnerable to actual or potential emergency situations and have advised the United Nations Security Coordinator on appropriate action in particular circumstances.

29. At a meeting of ACC held in April 1992, the United Nations High Commissioner for Refugees requested the convening, on an urgent basis, of an inter-agency meeting to devise common approaches and procedures to ensure that the best possible security arrangements are in place for staff members. The United Nations Security Coordinator, on behalf of the Secretary-General, convened the meeting at Geneva from 12 to 15 May 1992.

30. Participants at the meeting discussed the adequacy of existing security arrangements for ensuring the safety and security of staff and stressed the need for the application of a uniform security regime to all United Nations system staff. Participants also agreed that, although it was not possible to eliminate risk entirely, it was the responsibility of organizations to take every possible precaution to minimize the risks incurred by staff, especially those operating in extremely trying conditions.

31. At the meeting, discussions were held on the importance of specific security-related training for staff dealing with such matters and also on how best to assist and rehabilitate staff members in dealing with the after-effects of traumatic and stressful security-related experiences.

32. On the basis of the discussions the meeting recommended that, in the light of the changing security situation, in addition to the existing measures, the United Nations Security Coordinator, after an appropriate review, should determine in which countries it was desirable to appoint area coordinators to ensure the safety and security of outposted staff.

33. The meeting reiterated one of the previous recommendations, that uniform identification cards should be issued to staff at all duty stations.

VI. CONCLUSIONS

34. The new challenges facing the world community today require innovative approaches and cooperative and coordinated responses. The organizations of the United Nations system are being called upon by their member States to play an increasingly active role in such cooperative actions. The security and safety of the officials of these organizations and due respect for their privileges and immunities are the necessary conditions for the successful fulfilment by the organizations of the United Nations system of their complex assignments. The Secretary-General was shocked by the recent cases of senseless taking of human lives referred to in paragraph 7 of the present report and extended his deepest sympathy to the families of those staff members in a statement issued on his behalf. In a statement made on 11 September 1992 on the occasion of Staff Day, the Secretary-General stressed that he had made it clear to Member States that, unless security was ensured, staff would not be able to fulfil their duties and the missions entrusted to the Organization might be jeopardized. In this regard he emphasized that he would continue to do his utmost to ensure the safety of all staff. In submitting the present report on behalf of the members of ACC, the Secretary-General would like to express his readiness to cooperate with Member

States in finding the best ways to ensure the security and safety of officials and respect for their privileges and immunities. The Secretary-General believes that the discussions on this item in the General Assembly can lead to the adoption of concrete measures in this regard.

Notes

1/ United Nations, Treaty Series, vol. I, p. 15.

Annex I

CONSOLIDATED LIST* OF STAFF MEMBERS UNDER ARREST AND DETENTION OR MISSING AND WITH RESPECT TO WHOM THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS HAVE BEEN UNABLE TO EXERCISE FULLY THEIR RIGHT TO PROTECTION

Name	Agency	Place and date of incident
Mr. Abdala Daker Hayatli	UNRWA	Missing in the Syrian Arab Republic since 20 April 1980
Mr. Izzedine Hussein Abu Khreish	"	Detained in the Syrian Arab Republic since 11 September 1980
Mr. Mahmoud Hussein Ahmad	"	Missing in Lebanon since 22 March 1983. Reportedly detained by militias or unknown elements
Mr. Mohammad Ali Sabbah	"	Missing in Lebanon since 22 March 1983. Reportedly detained by militias or unknown elements
Mr. Daulat Mir	FAO	Detained on 28 August 1984 and subsequently conscripted into military service in Afghanistan
Mr. Alec Collett	UNRWA	Detained in Lebanon by militias or unknown elements since 25 March 1985
Mr. Mohammad Mustafa El-Hajj Ali	"	Missing in Lebanon since 28 November 1986. Reportedly detained by militias or unknown elements

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* The consolidated list contains in chronological order the names of staff members who remained under detention or were missing as of 30 June 1992. This list, however, was not compiled to provide information on all cases of staff members who have been arrested, detained or missing in the past or on the cases where staff members have lost their lives in the performance of official duties.

Name	Agency	Place and date of incident
Mr. Saleem Hairan	FAO	Detained and conscripted on 27 January 1988 into military service in Afghanistan
Mr. Ibrahim Fawzi El-Kurd	UNRWA	Detained in the occupied Gaza Strip since 17 April 1988
Mrs. Zainab Aw Jama Adan	WFP	Missing in Somalia since 4 June 1988
Mr. Yusef Ismail Shaban	UNRWA	Detained in the occupied West Bank since 8 August 1988
Mr. Fayez Nour Salha	"	Detained in the occupied Gaza Strip since 21 November 1988
Mr. Mohammed Omar	FAO	Detained and conscripted on 17 May 1989 into military service in Afghanistan
Mr. Nabil Ibrahim El Sawalhi	UNRWA	Detained in the occupied Gaza Strip since 18 May 1989
Mr. Ismail Hasan Abu Shanab	"	Detained in the occupied Gaza Strip since 30 May 1989
Mr. Awni Mohammad Abu Saif	"	Detained in the occupied Gaza Strip since 31 May 1989
Mr. Nawwaf Jamil Awwad	"	Detained in the occupied Gaza Strip since 1 August 1989
Mr. Dawoud Sulaiman El Mudallal	"	Detained in the occupied Gaza Strip since 2 August 1989
Mr. Abdul Fattah	WFP	Abducted in Pakistan by unknown elements on 3 September 1989
Mr. Khaled Abdul Rahman Matar	UNRWA	Detained in the occupied Gaza Strip since 21 November 1989
Mr. Jamil Yusuf Ulayyan	"	Detained in the occupied Gaza Strip since 3 December 1989
Mr. Suhail Said El Hasheem	"	Detained in the occupied Gaza Strip since 30 March 1990

Name	Agency	Place and date of incident
Mr. Ahmad Mohamed Ali	WFP	Detained in Somalia by the Somali National Security Service since 25 May 1990
Mr. Salameh Salim Rihan	UNRWA	Detained in the occupied West Bank since 1 June 1990
Mr. Adel Ali Abu Ghali	"	Detained in the occupied Gaza Strip since 25 August 1990
Mr. Abdalla Ismail Abu Shawareb	"	Detained in the occupied Gaza Strip since 6 November 1990
Mr. Husni Mohammad Ahmad Borini	"	Detained in the occupied West Bank since 23 December 1990
Mr. Suheil Hasan Al Sayyed	"	Detained in the occupied Gaza Strip since 3 January 1991
Mr. Abdalla Yusuf Awad	"	Detained in the occupied Gaza Strip since 7 January 1991
Mr. Mahdi Musa El Dawahidi	"	Detained in the occupied Gaza Strip since 10 January 1991
Mr. Juma Salim El Haj Ahmad	"	Detained in the occupied Gaza Strip since 14 January 1991
Mr. Nafez Suleiman El Jub	"	Detained in the occupied Gaza Strip since 14 January 1991
Mr. Kamal Abdul Rahman Salem	"	Detained in the occupied West Bank since 14 April 1991
Mr. Mohammad Zaki El Atawneh	"	Detained in the occupied Gaza Strip since 3 June 1991
Mr. Sufiyan Saed Eddin Dasouqi Jaber	"	Detained in the occupied West Bank since 9 August 1991
Mr. Ghassan Musaed El Arabid	"	Detained in the occupied Gaza Strip since 11 August 1991
Mr. Kassu Asgedon	WFP	Detained in Ethiopia since 4 September 1991

Name	Agency	Place and date of incident
Mr. Khaled Mohammad Al Sheikh Id	UNRWA	Detained in the occupied Gaza Strip since 12 November 1991
Mr. Ahmad Mohammad Hamdan	"	Detained in the occupied Gaza Strip since 22 December 1991
Mr. Husni Mohammad El Ajrami	"	Detained in the occupied Gaza Strip since 16 January 1992
Mr. Hassan Ahmad Mansour	"	Detained in the occupied Gaza Strip since 11 February 1992
Mr. Ayyoub A. Aziz Khaddoura	"	Detained in the occupied Gaza Strip since 18 February 1992
Mr. Samih Ahmad Hamdan	"	Detained in the occupied Gaza Strip since 4 May 1992
Mr. Adel Loubani	"	Detained in Lebanon by the Syrian armed forces since 26 May 1992
Mr. Mohammad A. Raouf Raba	"	Detained in the occupied Gaza Strip since 22 June 1992

Annex II

INFORMATION SUBMITTED BY INDIVIDUAL ORGANIZATIONS AND UNITED NATIONS SUBSIDIARY ORGANS AND OFFICES OR JOINT SUBSIDIARY ORGANS FOR INCLUSION IN THE PRESENT REPORT

A. United Nations Relief and Works Agency for Palestine Refugees in the Near East

1. In comparison with the relatively high levels of recent years, there was a decline in the number of staff members in the occupied territories arrested and held in detention without trial. During the period 1 July 1991 to 30 June 1992, 66 UNRWA staff were arrested or detained, of whom 3 were arrested and detained more than once. Of these, one staff member from the Gaza Strip was under order of deportation (though on 24 August 1992 the Israeli authorities announced the cancellation of the deportation order). Fifty-one of the 66 staff have been arrested or detained and released without charge or trial, including 2 held by militia groups in Lebanon. Five were charged, tried and sentenced to various terms of imprisonment. The remaining 10 were still in detention as of 30 June 1992, as follows:

Occupied Gaza Strip	8
Occupied West Bank	1
Lebanon (Syrian forces)	1
	10

2. In no case has UNRWA received adequate and timely information on the reasons for the arrests and detentions despite requests to the authorities. UNRWA has had access to six detained staff from the occupied West Bank and to 18 detained staff from the Gaza Strip. Several of these staff, however, were being held in prisons in Israel, having been transferred there out of the occupied West Bank and Gaza Strip. UNRWA was unable, despite approaches to the relevant Governments, to visit staff in detention in Jordan, Lebanon and the Syrian Arab Republic.

B. United Nations Children's Fund

3. On 7 July 1992, Mr. Roko K. Biro, a UNICEF driver attached to the UNICEF office in Juba, the Sudan, was taken into custody by the local security force. In a note verbale of 12 July to the Ministry of Foreign Affairs, UNICEF requested the Ministry's assistance in obtaining the release of Mr. Biro. A further note on 2 August from the United Nations Resident Coordinator requested that the Ministry provide reasons for the arrest and allow access by a representative of the United Nations to the detained staff member. The Ministry advised UNICEF on 3 August that the matter was under investigation and that the outcome of the investigation would be reported in due course. To date, no further news has been received regarding the whereabouts of Mr. Biro, nor has UNICEF been given access to him.

4. The case of Ms. Roshan Beraki, a national officer working in the UNICEF office in Asmara, was referred to in last year's report (A/C.5/46/4, annex II). Ms. Beraki was again arrested in Asmara on 17 August 1991 by the authorities of the new administration, the Provisional Government of Eritrea. On 24 July 1992, the Asmara Court sentenced Ms. Beraki to three years' imprisonment. UNICEF has not been officially notified by the authorities of the charges brought against her, but has only recently learned of the charges through Ms. Beraki's lawyer as well as through an Eritrean newspaper article which UNICEF has since been advised represents the official position of the authorities. Ms. Beraki was apparently accused of misappropriating UNICEF materials. UNICEF is presently awaiting a copy of the verdict from the court. The Executive Director of UNICEF had sent Mr. Manou Assadi as his Special Envoy to Asmara from 1 to 7 August 1992 to look into Ms. Beraki's case.

C. United Nations Economic Commission for Africa

Arrests and detentions

5. On 17 January 1992, Mr. Paul Were, a Kenyan national, was detained overnight by Government forces. On 22 January 1992, a note verbale was sent to the Ministry of Foreign Affairs. On 30 January 1992 the Designated Official was informed verbally that a reply would be forthcoming as soon as the investigation had been completed. On 18 March 1992, the Chief of Protocol, in a conversation with the Designated Official, implied that verbal explanations given to the Field Security Officer on several occasions had been understood to have constituted an adequate reply.

6. On 29 December 1991 an Ethiopian staff member was detained and beaten by the authorities. He was temporarily released on 1 and 2 January 1992 for medical examination. A note verbale was sent to the Ministry of Foreign Affairs on 2 January 1992. He was released on 4 January 1992, but detained again on 15 January 1992. On 31 January 1992, he was released on bail and after paying a fine of 800 Ethiopian birr for possession of a firearm without a licence.

7. On 29 August 1991, a United Nations official vehicle and staff from the Communications and Records Unit were held at Bole International Airport, and later released.

8. On 13 August 1991, an Ethiopian staff member was detained for five days for questioning about the whereabouts of her husband, who was wanted by the Government. Another Ethiopian staff member was detained for two days in July and his house was searched.

9. Four local WFP staff members were detained in September 1991. A note verbale was sent out on 28 November 1991. Three of the detained staff were released six months later. One staff member remains in detention.

Shooting incidents

10. Five ECA staff members' cars were shot at by government troops between August 1991 and April 1992. One staff member's spouse was seriously injured. Three notes verbales about these cases were sent but no responses have been received. A UNDP driver's official car was shot at in March 1992 and he was beaten by government forces. The vehicle was seriously damaged.

Attempted entry by government troops

11. Troops attempted entry into 10 residences occupied by ECA staff members, including that of the Executive Secretary (on two occasions). In addition, they tried to gain access to the ECA compound in April 1992. A note verbale was sent, to which there has been no reply.

Threats received

12. One ECA and two WHO staff members were threatened at gunpoint by government soldiers.

13. Four ECA staff members received threats by letter and telephone. Two notes verbales concerning one of these cases were sent to the Ministry but a reply has not been received.

Robberies

14. Thirteen cases of robberies of staff members and 13 cases of attempted burglaries of staff members' houses were reported.

15. There were two car accidents reported involving ECA staff members and armed forces personnel.

16. Stones were thrown at the residence of an ECA staff member on two occasions causing damage to the house.

17. An ECA staff member was attacked and injured by an unknown assailant in the Hilton Hotel car park in March 1992.

D. United Nations Truce Supervision Organization

18. A 2 per cent ad valorem wharfage charge is levied by the Israeli port authorities in addition to charges for the specific services of the port and the fees of clearing agents. According to the Director of the Israeli port authority, it is a charge for the general purposes of the port. Démarches by UNTSO to the Israeli Ministry of Foreign Affairs requesting that the Israeli port authorities drop this charge have been unsuccessful. The Legal Section of the Ministry admits that it is a charge for the general purposes of the port but maintains that it is not a tax because use of the port is use of a service, or, alternatively, that the port is an independent authority not subject to Israeli government control.

19. Despite representations to the Israeli Foreign Ministry, the Israeli authorities continue to levy an exit tax at Rafah on UNTSO personnel travelling to Egypt on duty. UNTSO staff are reimbursed by the United Nations.

20. From time to time Israeli municipalities request UNTSO to pay municipal taxes. UNTSO pays only itemized charges for specific services and value such as water, electricity, etc. Israeli legislation specifically exempts the United Nations from municipal tax and service charges (called arnona) without qualification.

21. Israeli authorities continue to attempt to X-ray UNTSO pouches at the Rafah border, in spite of repeated approaches to the Israeli Foreign Ministry by UNTSO.

E. Food and Agriculture Organization of the United Nations

22. No further information could be obtained on the cases of Messrs. Daulat Mir, Saleem Hairan and Mohammed Omar (Afghanistan) and Mr. Abel Nyrenda (Zambia), referred to in the report to the forty-sixth session of the General Assembly (A/C.5/46/4, annex II).

23. One case of restriction on official and private travel was reported during the period under review. It concerns an FAO Senior Technical Adviser involved in a car accident in the Yemen who was denied permission to leave the country pending settlement of the case.

24. In Barbados and Benin attempts were made to levy taxes on salaries and emoluments paid to FAO officials by the organization. Various cases of taxation or of attempts at taxation were also reported in Canada, France and Israel.

F. United Nations Industrial Development Organization

25. On 12 September 1991 at 16.30 hours, Mr. Hugues Olivier, UNIDO Country Director in Abidjan, Côte d'Ivoire, was attacked at gunpoint in broad daylight. Mr. Olivier fortunately remained uninjured. However, his wallet, containing 45,000 CFA francs, his watch and the official car were stolen. The car was later found abandoned in the street, with damage to the interior, but Mr. Olivier's briefcase had been opened and diplomatic papers, some more money, car papers as well as his office and car keys were missing. The full police report in respect of the above-mentioned case was reported to United Nations Headquarters.

26. In Egypt, the requirement of a work permit and the payment of a fee has been and continues to be imposed on UNIDO officials having Egyptian citizenship as a condition for their departure from Egypt for the purpose of returning to their duty station at UNIDO headquarters in Vienna or elsewhere.

27. In the Islamic Republic of Iran, the practice of levying a statutory exit tax on all UNIDO officials of Iranian nationality, when they are leaving the country infringes the Convention on the Privileges and Immunities of the United Nations, which is applicable also to UNIDO in view of article 21 of UNIDO's Constitution.

28. In the Sudan, an obligatory national contribution up to US$ 400, depending on the level of education attained by the individual concerned, as well as charges for the improvement of education and information services are imposed upon the issuance of an exit visa, the renewal of a passport and any other consular action.

29. In the Syrian Arab Republic, a fee for each year of residence abroad in the amount of $150, $250 or $350 is levied upon Syrian nationals who are employees of international organizations.

G. United Nations/FAO World Food Programme

30. In Turkey, on 10/11 April 1992 a WFP staff member working in the UNHCR/WFP office in Silope came under heavy fire from reportedly armed Turkish police vehicles. Nobody was hurt but damage to cars and buildings was considerable. An investigation was carried out by the United Nations Security Coordinator between 15 and 25 April 1992; the incident was attributed to crossfire between Kurdish rebels and armed Turkish police.

31. In Somalia several incidents were reported during the period under review involving WFP staff caught in the fighting between the various militia factions in Somalia (in Mogadishu as well as in the north). Fortunately, none of the staff were wounded or arrested.

32. In the Sudan, WFP staff operating in areas held by the Sudanese People's Liberation Army (SPLA) in southern Sudan came under attack several times and were briefly held captive by some of the fighting factions. The latest incidents occurred in Kapoeta, in March 1992, where 14 United Nations/NGO/Operation Lifeline Sudan (OLS) staff were being prevented from leaving, and in Baliet, in April 1992, involving 24 persons. All of them were later released and are safe.

33. During the recent events in Afghanistan, the WFP office in Kabul was hit by several rockets, causing damage but no loss of life or injuries.

34. In Pakistan, a WFP staff member, Mr. Kimio Kasashima, was shot dead on 14 June 1992 in front of his house in Peshawar by an unknown assailant. Official reports on the investigation are still awaited.

Annex III

LIST OF UNITED NATIONS SUBSIDIARY ORGANS, OFFICES AND MISSIONS, SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS THAT WERE REQUESTED TO PROVIDE INFORMATION FOR THE PRESENT REPORT

ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLAC	Economic Commission for Latin America and the Caribbean
ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
ICAO	International Civil Aviation Organization
IFAD	International Fund for Agricultural Development
ILO	International Labour Organisation
IMF	International Monetary Fund
IMO	International Maritime Organization
ITU	International Telecommunication Union
UNCTAD	United Nations Conference on Trade and Development
UNDOF	United Nations Disengagement Observer Force
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFICYP	United Nations Peace-keeping Force in Cyprus
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNIFIL	United Nations Interim Force in Lebanon
UNITAR	United Nations Institute for Training and Research
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

UNTSO	United Nations Truce Supervision Organization
UNU	United Nations University
UPU	Universal Postal Union
WFP	World Food Programme
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
	World Bank